IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MISSOURI

| WESTERN DIVISION | |
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| UNITED STATES OF AMERICA, |) |
| Plaintiff, v. |)) Criminal No. 13-00123-01-CR-W-DGK) |
| BRYCE HUGHES |) |
| Defendant. |) |
| | OF MATTERS DISCUSSED AND NAT PRETRIAL CONFERENCE |
| Missouri, Bryce Hughes, having been convexceeding one year, did knowingly possess 38S, .38 caliber revolver, bearing Serial Na Code, Sections 922(g)(1) and 924(e)(1). | y 11, 2012, in Jackson County, in the Western District of victed of crimes punishable by imprisonment for a term s, in and affecting commerce, a firearm, a Rohm, Model umber FF 329979; contrary to Title 18, United States and action taken during the pretrial conference: |
| TRIAL COUNSEL: Government: AUSA Bruce Rho Case Agent: ATF Special Agen Defense: F. A. White, Jr. | |
| OUTSTANDING MOTIONS: NONE | |
| TRIAL WITNESSES: Government: 2-3 witnesses with Defendants: 2 witnesses, including | stipulations; 4 witnesses without stipulations ing the defendant |
| TRIAL FYHIRITS | |

Government: 3-6 exhibits

Defendant: 2 exhibits for defendant

DEFENSES: General denial and entrapment

POSSIBLE DISPOSITION:

(X) Definitely for trial; () Possibly for trial; () Likely a plea will be worked out

TRIAL TIME: 1½ days

Government's case including jury selection: less than one day

Defense case: a few hours to ½ day

STIPULATIONS: Government counsel has proposed stipulations concerning foundational information for the introduction of certain documents and the interstate nexus of the firearm.

UNUSUAL QUESTIONS OF LAW: At the conclusion of the testimony, defense counsel may ask for an adverse inference instruction concerning a video that was lost. ¹

FILING DEADLINES:

Witness and Exhibit List

Government: Friday before the pretrial conference Defense: Friday before the pretrial conference

Counsel are requested to list witnesses in alphabetical order on their witness list.

Exhibit Index, Voir Dire, Jury Instructions: Noon, Wednesday, February 4, 2014 Please Note: Jury instructions must comply with Local Rule 51.1

Motions in Limine: None anticipated; However, defense counsel may file a pretrial memorandum or trial brief.

TRIAL SETTING: Criminal jury trial docket commencing on February 23, 2015 **Please note:** Government counsel prefers the first week of the docket, but can be available either week.

IT IS SO ORDERED.

/s/ SARAH W. HAYS
SARAH W. HAYS
UNITED STATES MAGISTRATE JUDGE

¹ Mr. White points out that although Judge Phillips denied a motion to dismiss for failure to preserve exculpatory evidence, the Court took under advisement the request for an adverse inference instruction. (See doc. # 58 at 3)